

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEITH ALAN ROSE,

Defendant.

CR 17-76-BLG-SPW-TJC

**ORDER**

The Defendant previously has pled guilty to Counts I and II of the Indictment (Doc. 1), which charge the crimes of conspiracy to distribute and possess with intent to distribute methamphetamine, in violation of 21 U.S.C. § 846 (Count I), and possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2 (Count II). Defendant did not enter a plea to Count III of the Indictment, which charges the crime of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i). Trial is pending as to Count III.

Defendant appeared before the Court on August 29, 2018, on the United States' motion to revoke his release pending trial and sentencing. Defendant waived a hearing on the petition. Based on the sworn petition of the United States Probation Officer (Doc. 63-2), the Court found probable cause to believe Defendant committed another state or local crime and alleged in Count 5 of the

petition, and found by clear and convincing evidence that he violated the terms of his release as set forth in Counts I-IV of the petition. (*Id.*; *see also* Doc. 63.)

The United States then moved to detain Defendant pending sentencing and trial. For reasons set forth on the record, the Court cannot find by clear and convincing evidence that Defendant does not pose a danger to the community. Accordingly,

IT IS ORDERED that Defendant's release is **REVOKED**, and he shall be detained pending sentencing and trial in this matter.

IT IS FURTHER ORDERED that Defendant shall be remanded to the custody of the United States Marshals Service.

DATED this 29th day of August, 2018.

  
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TIMOTHY J. CAVAN  
United States Magistrate Judge